

Brookie Planned Unit Development Amendment

ORDINANCE NO. _____

An ordinance amending the Zoning Ordinance of the City of Westfield, Indiana

February 11, 2009

ORDINANCE NO. _____

An Ordinance of the City of Westfield, Indiana Amending the Brookie Planned Unit Development Ordinance

This PUD Ordinance Amendment (the “Amendment”) amends the Brookie Property Planned Unit Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the “Brookie PUD”), enacted by the City of Westfield under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended;

WITNESSETH:

WHEREAS, the Area Plan Commission of the City of Westfield and Washington Township (the “Commission”) has conducted a public hearing as required by law in regard to the application for a change of zone district designation filed by the Estridge Development Company, Inc. for the real estate containing approximately 76.202 acres more or less, legally described on Exhibit “A” hereto, and located in the City of Westfield, Hamilton County, Indiana (the “Real Estate”);

WHEREAS, the Commission has sent to the Common Council of the City of Westfield, Indiana (the “Common council”) its recommendation adopted on the _____ day of _____, 2009;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF WESTFIELD, INDIANA, THAT:

Section 1. The zoning classification of the Real Estate is reclassified on the Zone Map to the Planned Unit Development District classification – Brookie Property PUD, the underlying zoning classification of which shall be the SF-3 District of the Zoning Ordinance in force at the time of the enactment of this Brookie Property PUD. Permitted uses shall be restricted to single family dwellings.

Section 2. Exhibit A – Legal Description of the Brookie PUD Ordinance is hereby amended with Exhibit A attached hereto.

Section 3. Exhibit H – Concept Plan of the Brookie PUD Ordinance is hereby amended with Exhibit H attached hereto.

Section 4. This ordinance shall be in full force and effect from and after its passage.

ALL OF WHICH IS ORDAINED by the Common Council of the City of Westfield, Indiana,
this _____ day of _____, 2009.

COMMON COUNCIL OF THE CITY OF WESTFIELD

Aye

Nay

_____	John Dippel	_____
_____	Steve Hoover	_____
_____	Robert L. Horkay	_____
_____	Ken Kingshill	_____
_____	Bob Smith	_____
_____	Tom Smith	_____
_____	Rob Stokes	_____

APPROVED and signed by the Mayor of the City of Westfield, Hamilton County,
Indiana, this _____ day of _____, 2009.

J. Andrew Cook, Mayor
City of Westfield, Indiana

ATTEST:

Cindy Gossard, Clerk Treasurer
City of Westfield, Indiana

EXHIBIT A LEGAL DESCRIPTION

A part of the Southwest Quarter of Section 15, Township 18 North, Range 3 East in Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at the Southwest Corner of said Quarter Section; thence North 00 degrees 11 minutes 49 seconds West (assumed bearing) along the West Line thereof a distance of 657.00 feet to the POINT OF BEGINNING; thence continuing North 00 degrees 11 minutes 49 seconds West along said West Line a distance of 655.93 feet; thence North 88 degrees 52 minutes 53 seconds East a distance of 656.60 feet to the West Line of the East Half of the West Half of said Southwest Quarter Section; thence North 00 degrees 10 minutes 45 seconds West along the said West Line a distance of 475.32 feet to the South Line of Centennial Section 6, a subdivision in Hamilton County, Indiana, the plat of which is recorded as Instrument Number 200200005677 in the office of the recorder of Hamilton County, Indiana; thence North 89 degrees 03 minutes 49 seconds East along said South Line and the South Line of Centennial Section 4, a subdivision in Hamilton County, Indiana, the plat of which is recorded as Instrument Number 200100000470 in said recorder's office and along the South Line of Centennial Section 2B, a subdivision in Hamilton County, Indiana, the plat of which is recorded as Instrument Number 200000034016 in said recorder's office a distance of 1313.44 feet (the next two (2) described courses being along the Westerly and Southerly Lines of said Centennial Section 2B); thence South 00 degrees 08 minutes 36 seconds East a distance of 462.52 feet; thence North 89 degrees 00 minutes 29 seconds East a distance of 656.58 feet to the West Line of Merrimac Section 4, a subdivision in Hamilton County, Indiana, the plat of which is recorded as Instrument Number 9809860236 in said recorder's office; thence South 00 degrees 07 minutes 31 seconds East along the West Line of said Merrimac Section 4 and along the East Line of the said Southwest Quarter Section a distance of 1317.92 feet to the Southeast Corner of the said Southwest Quarter Section; thence South 88 degrees 50 minutes 00 seconds West along the South Line of said Southwest Quarter Section a distance of 1033.81 feet; thence North 00 degrees 11 minutes 49 seconds West, parallel with the West Line of the said Southwest Quarter Section, a distance of 657.00 feet; thence South 88 degrees 50 minutes 00 seconds West, parallel with the said South Line, a distance of 1591.00 feet to the POINT OF BEGINNING, containing 69.452 acres, more or less.

AND

A part of the Southwest Quarter of Section 15, Township 18 North, Range 3 East, described as follows: Begin at a point which is 874.1 feet South of the Northwest corner of the Southwest Quarter of Section 15, Township 18 North, Range 3 East, run thence South along this Quarter Section line 447.9 feet to a point, thence Easterly 655.0 feet to an iron stake, thence Northerly 451.0 feet, this point being 871.0 South of the North line of this Quarter, to an iron stake, thence Westerly 655.0 feet to the place of beginning. Containing 6.75 acres, more or less, in Hamilton County, Indiana.

Exhibit H - Concept Plan

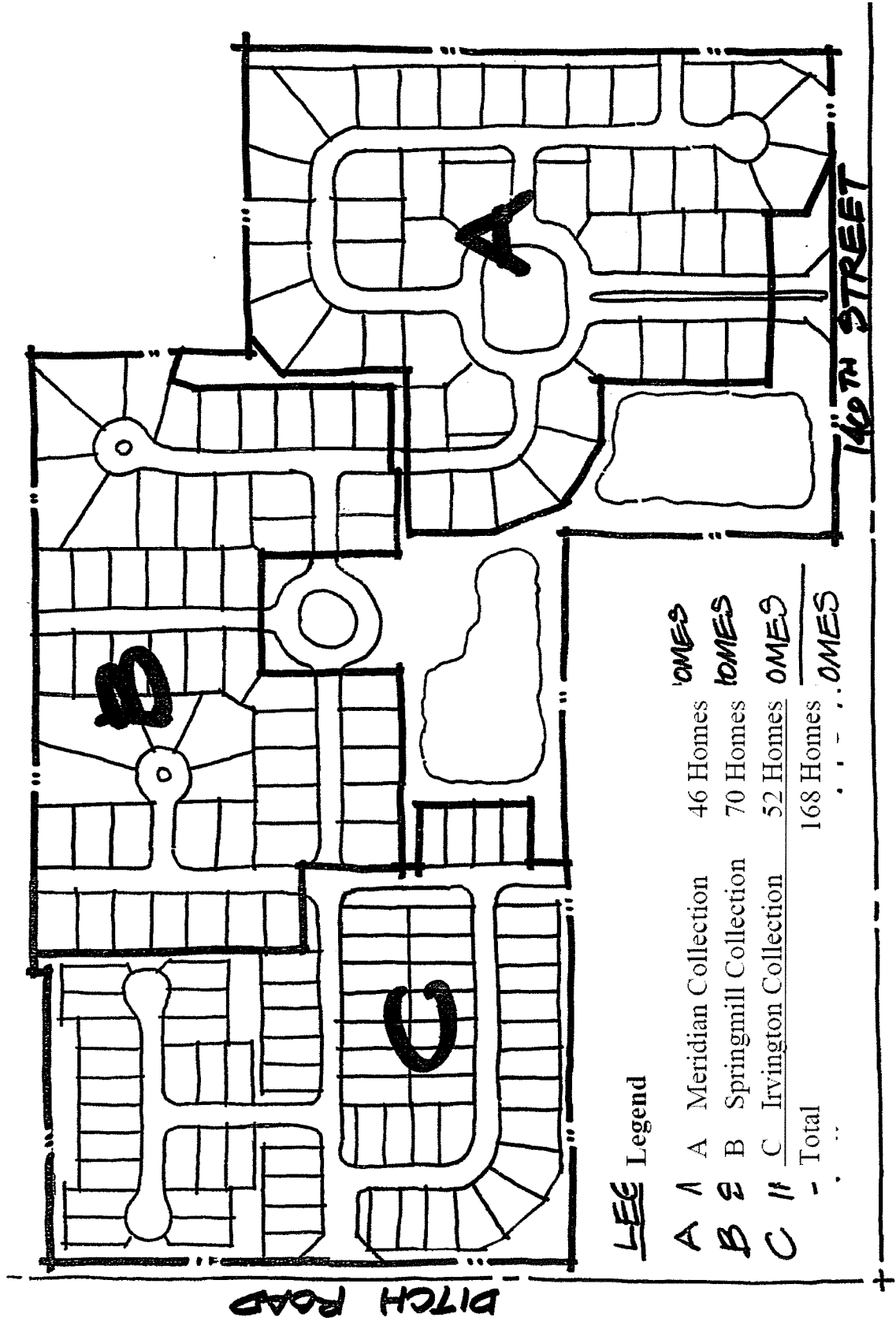


EXHIBIT F

DEVELOPMENT STANDARDS

	Area A	Area B	Area C
Home Collection	Meridian Collection	Springmill Collection	Irvington Collection
Minimum lot width at building line at which building is actually built	90'	80'	60'
Minimum lot depth	130'	130'	130'
Minimum lot frontage on street	50'	50'	50'
Minimum lot area	11,700 s.f.	10,400 s.f.	7,800 s.f.
Minimum front yard setback	25'	25'	20'
Minimum side yard setback	7'	10'	5'
Minimum rear yard setback	25'	25'	15'
Maximum building height* for all residences	35'	35'	35'

* Building Height shall be measured from the average ground level at the foundation of the residence facing the street to the mean height between the eaves and ridges for gable, hip, and gambrel roofs. Chimneys and other similar structures shall not be included in calculating building heights.

DEVELOPMENT STANDARDS THAT RELATE TO THE OVERALL PROJECT

Area size	76.52 acres
Maximum density	2.2 du/acre
Common area open space	21% minimum

1. The developer shall not be required to install street lights as required by WC 16.04.240(I). Dusk to dawn lights on the homes shall be used in place of the street lights.
2. The Estridge Companies shall be the only Builder allowed to construct homes within the community.